

1 XINGFEI LUO
2 PO BOX 4886,
3 El Monte, CA 91734

4

5 Petitioner in Pro Se

6

7

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10

11 XINGFEI LUO, 12 Petitioner, 13 v. 14 THE PEOPLE OF THE STATE OF 15 CALIFORNIA 16 Respondent.	11 No. 8:22-CV-01640-MEMF-KES 12 13 STATUS REPORT 14 Action filed: September 6, 2022 15 16
--	--

17

18 Xingfei Luo (Petitioner) respectfully submits the following status report pursuant
19 to this Court's December 20, 2022 order. ECF 18. The order directs Petitioner to advise
20 the Court of the status of her exhaustion efforts and attach her new habeas petition(s) and
21 ruling(s) thereon. ECF at 4.

22 Petitioner filed a supplement to her Petition for Writ of Habeas Corpus in Supreme
23 Court. *In re Luo*, S278439. See attachment 1.

24 Respectfully submitted,
25 Date: April 12, 2023

26 /s/ Xingfei Luo
27
28

CERTIFICATE OF SERVICE

I declare that I electronically filed the forgoing with the United States District Court, Central District of California. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and United States of America that the foregoing is true and correct.

Executed on April 12, 2023

/s/ XINGFEI LUO

XINGFEI LUO, In Pro Per

Attachment 1

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

XINGFEI LUO,
Petitioner and Defendant,

v.

THE PEOPLE OF THE STATE OF CALIFORNIA,
Respondent and Plaintiff.

SUPREME
COURT
No. S278439

Superior Court
No. 19CM06724

**SUPERIOR COURT OF ORANGE COUNTY
CASE No. 19CM06724**

Honorable Robert A Knox, Judge

**SUPPLEMENT TO PETITION FOR
WRIT OF HABEAS CORPUS**

Xingfei Luo (Petitioner) respectfully submits this supplement to her petition for a writ of habeas corpus:

On July 26, 2021, Count 2 was amended from allegation of coming within 100 yards of the protected person to failure to deactivate website and created new websites. CT 66.

The trial court erred in giving a jury instruction unrelated to what Petitioner was charged for. CT 146. The instruction was fundamentally

incorrect because it referred to a written order that the defendant not contact, send any messages to, follow, or disturb the peace of the protected person, Tomas Czodor, not the websites that Petitioner was charged for. At trial, there was no evidence showing that Petitioner ever contacted, sent any messages to, followed, or disturbed the peace of the protected person, Tomas Czodor in violation of any court order.

Petitioner received ineffective assistance of counsel both at trial and on appeal. Petitioner's trial counsel failed to object to the incorrect jury instruction and Petitioner's appellate counsel failed to raise the issue on appeal.

Dated: April 5, 2023

Respectfully submitted,

/s/ Xingfei Luo

Petitioner and Defendant, In Pro Per